

## 08CA034

**From:** Sam Fischer [mailto:samfischer@rushmore.com]  
**Sent:** Wednesday, September 24, 2008 6:09 PM  
**To:** Planning Commission  
**Subject:** Deadwood Ave. Major Street Plan Amendment

September 24, 2008

Rapid City Planning Commission  
300 Sixth Street  
Rapid City, SD 57701

Re: Deadwood Ave. Major Street Plan Amendment

Dear Commission Members:

I am writing to express my concerns regarding adding the extension of Sheridan Lake Road to Deadwood Avenue to the city's Major Street Plan. While I feel that the Sheridan Lake Road extension would be a beneficial project to the city, I do not feel that now is the proper time to add it to the Major Street Plan.

It is my understanding that the extension of Sheridan Lake Road is facing the following obstacles at the current time:

1. There is no funding source for the project.
2. Traffic studies have shown that the traffic benefits do not currently outweigh the costs.
3. No specific route for the extension has been determined (please see the enclosed alternative routes proposed to date).

Due to these unresolved issues, if the extension is added to the Major Street Plan, it would be impossible for affected land owners to adequately make decisions regarding their properties based on the future extension's impact. For example, because funding has not been obtained and the route has not been identified, the city is not able to engage the engineering of the road to determine things like elevations, setbacks, the amount of land to be taken, etc. Without knowledge of these specifics, affected landowners cannot make simple decisions regarding their land such as new building locations, building additions, building remodels, site development, and many other things that landowners are legally granted the right to do with property that they own.

In my specific case, the landowner I represent currently has affected property listed for sale. If the extension is added to the Plan, marketing of the property will become extremely difficult, if not impossible. For instance, an interested purchaser would have absolutely no idea regarding the following issues: (1) exactly how much land he/she would end up with after the land is taken for the road (again – the route has not been determined), (2) how to

place potential buildings on the property to avoid condemnation, (3) how to maximize road visibility and access, (4) elevations of buildings and site improvements, and the list goes on. The sale of the property with this many issues hanging open is nearly impossible.

In my view, to add the Sheridan Lake Road extension to the Major Street Plan at this point in time is premature and a “seizure” of the legal use of affected property without compensation to the landowners. Landowners will have their hands tied for years until the extension receives funding and the engineering is completed, or until the project is cancelled. I believe that the city should not place this project on the Major Street Plan until funding is identified or at least likely to be obtained in the immediate future and until traffic benefits justify the cost. Placing the extension on the street plan at this time unjustly prevents landowners from fully utilizing their properties without compensation. My position is that this is an unjust taking.

Sincerely,

Sam Fischer  
Vice President  
Fischer Furniture, Inc.  
1802 W. Main St.  
P.O. Box 523  
Rapid City, SD 57709  
605-348-5100  
[samfischer@rushmore.com](mailto:samfischer@rushmore.com)

September 22, 2008

To: Planning Commission  
City of Rapid City  
300 Sixth Street  
Rapid City, SD 57701

From: James V. Bailey, Member  
Sweet Creek, LLC  
P.O. Box 914  
Rapid City, SD 57709  
(605)343-2390

Re: Deadwood Avenue Neighborhood Area Future Land Use Plan and Major Street Plan Amendments to the Adapted Comprehensive Plan (September 22, 2008).

I am Jim Bailey and we own the 40 acres located just north of the U-Haul property and just north of the west part of City owned tract 17.

We object to removing the current approved proposed collector street going north on the section line at the intersection of Omaha and Mt. View.

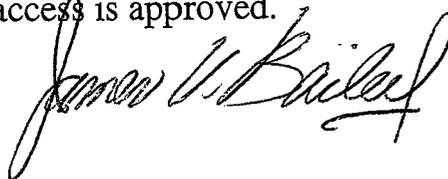
In April we wrote the Rapid City Growth Management and advised them that we were not pursuing putting in this road at this time as the location on the east edge of the U-Haul property and possibly a small strip of land at the west edge of Tract 17 of the City owned property was a better location for all involved.

On July 22, 2008, we submitted an access application to the SDDOT for access to Omaha Street at the U-Haul easement location. We have not received a reply to that application and do not know what will come of that

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application. Although in my opinion, the U-Haul easement location would be better for everyone involved, that location has not been approved by the SDDOT and may not be approved.

The future land use plan is for the future and the figure of 2030 is being used in the traffic studies for the future. The proposed removal of the existing collector street on the Section Line at Mt. View Road would leave the 40 acres landlocked and would remove a South Dakota Constitutional guaranteed access to the property. This access needs to be kept in place unless an alternate access, that is, the U-Haul access is approved.





October 27, 2008

Rapid City Planning Commission  
300 6<sup>th</sup> Street  
Rapid City, SD 57701

Dear Planning Commission Members:

My name is Steve Zellmer, Vice President of GCC Dacotah, Inc. and I would like to pass along a couple of thoughts on the Deadwood Avenue Land Use Plan and its application to our cement plant properties in that area.

1. First, the current zoning for both our cement manufacturing facility located north of West Chicago and west of Deadwood Avenue, and our sand property located behind Harley Davidson on north Deadwood Avenue, are appropriate for their current use. The use of those properties is the same as it has been for many years.
2. We request that the proposed future land use and zoning for our cement manufacturing facility and limestone quarry west of Deadwood Avenue and north of West Chicago be continued as Mining Extraction. While we have finite limestone reserves at that location, we have over one hundred year's reserves south of Custer that can be railed to Rapid City. GCC has made substantial investments in the Rapid City plant which will extend its life far into the future. GCC's property should be treated the same as that of Pete Lien & Sons to our north because the properties have similar current and future uses.
3. The current use of the Lange Ranch behind Harley Davidson is the same now as it was for the Lange estate before it was purchased by GCC in 1995: grazing cattle for Mr. Don Konechne, and as a source of sand for making cement. Of the 626 acre property, less than ten acres is involved in the sand operation. Our sand operation is active on that site less than fifty days per year. When we are there working, there is one front-end loader loading trucks, and the trucks exit west to Deadwood Avenue on our own internal road. Our mining plan is designed so that when we are finished, we will have a level site suitable for a high-end commercial office building with a commanding view of the Black Hills. It is neither a practical nor a logical place for anyone to locate a ready mixed concrete plant or an asphalt batch plant, as has been suggested. Since we are in the cement business and compete with asphalt for paving work, we definitely are not interested in hosting an asphalt batch plant.

*Building Together™*

Mailing Address:  
P.O. Box 360  
Rapid City, SD 57709

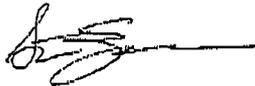
Street Address:  
501 North Saint Onge St.  
Rapid City, SD 57702

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Fax: 605-721-7012  
[www.gcc.com](http://www.gcc.com)

- 4 The proposed land use and zoning for the Lange Ranch comports generally with our master plan for that property: commercial along the interstate, high-end residential lots in the high country with trees, and high-end commercial office space on the sand property.
5. Of the three east/west roads proposed on the Future Land Use Map, two make sense and one is impractical. The southern most proposed collector makes sense as a link between Deadwood Avenue and Haines Avenue, and is practical to build. The northern most east/west road makes sense and is in terrain suitable for construction of a road. The middle proposed route would consume so much of our property in that narrow valley that it would make it impractical to sell lots on either side of the road. In addition, we have received engineering advice that the terrain to the east of our property is so rough that it is not practical to construct a street. Therefore we request that that proposed road be eliminated. If we ever develop residential lots in that area, we will construct an internal road to the west.
6. Finally, we find it unusual that complaints about our possible future use of our Lange Ranch property are coming from the area east of us that is not even part of Rapid City. Since the city found it appropriate to involuntarily annex our Lange Ranch property, and the other properties on North Deadwood Avenue, it seems that the next appropriate step for the city should be to annex the property to the east of the Lange Ranch property so at least we all have the same status as city tax payers.

Thank you for the opportunity to present our thoughts.

Sincerely,



Steve Zellmer  
Vice President  
GCC Dacotah, Inc.